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Box DAC		Application Number	09/432,192
TRANSMITTAL FORM (To be used for all correspondence after initial filing)		Filing Date	November 2, 1999
		Confirmation Number	9730
		Inventor(s)	KUEHN
		Group Art Unit	3753
Express Mail Label No.: EV 196252085 US		Examiner	Walton, G.
Total Number of Pages in This Submission:	20	Attorney Docket No.	99-13

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<input type="checkbox"/> Form PTO-1449	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Response to Missing Parts / Incomplete Application
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Number of Figs. <input type="text"/> and cover sheet		
<input type="checkbox"/> Formal		
<input type="checkbox"/> Informal		

Current Due Date: None

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	<i>Michael W. Haas</i>
Date	April 2, 2003

CERTIFICATE OF MAILING

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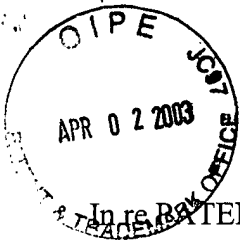
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: PATENT APPLICATION of

Inventor : KUEHN
Appln. No. : 09/432,192
Conf. No.: : 9730
Filed: : November 2, 1999
Title: : PRESSURE SUPPORT SYSTEM HAVING A TWO-PIECE
ASSEMBLY
Group Art Unit : 3753
Examiner : Walton, G.
Docket No. : 99-13

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April 2, 2003

**RESUBMISSION OF PETITION TO
WITHDRAW HOLDING OF ABANDONMENT**

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

In response to the Notice of Abandonment, dated September 24, 2001, a Petition to Rescind the Holding of Abandonment was submitted on October 31, 2001. A copy of the October 31, 2001 Petition, a copy of a postcard stamped received by the U.S. Patent and Trademark Office as of October 31, 2001 is enclosed. Despite repeated attempts by the undersigned applicant's representative to determine the status of this petition, including phone calls to the Examiner and the Office of Petitions in April 2002 and October 2002, to date, no action has been taken on this Petition and there is no indication that this Petition was received.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

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Commissioner for Patents, Box DAC, Washington, DC, 20231 on this date April 2, 2003,
Express Mail Label No. EV 196252085 US.

Michael W. Haas
Michael W. Haas, Reg. No. 35,174

Accordingly, applicant hereby again petitions to withdraw the holding of abandonment in the above-referenced application, or requests that the original Petition dated October 31, 2001 be considered.

In support of this petition to withdraw the Notice of Abandonment dated September 24, 2001 are copies of the following:

1. A submission dated May 11, 2001 that includes (1) a copy of an Amendment filed in response to the Official Action dated February 13, 2001 and (2) a copy of Respironics' receipt postcard stamped "received" by the U.S. Patent & Trademark Office showing that this submission was received in the PTO on May 14, 2001, as indicated by the mailroom stamp.

Applicant notes that the May 11, 2001 Amendment includes a Certificate of Mailing under 37 C.F.R. § 1.8. Thus, even though the Amendment was received on May 14, 2001, it is entitled to the mailing date of May 11, 2001, which predates the due date of May 13, 2001.

Thus, the holding of abandonment should be withdrawn, as an Amendment responsive to the Official Action dated February 13, 2001 was filed on May 11, 2001. The filing of the Amendment is evidence by the attached copy of Respironics' receipt postcard, which was stamped as received in the PTO on May 14, 2001.

For the reasons presented above, applicants respectfully submit that a response to the February 13, 2001 Official Action was timely filed, and the Notice of Abandonment dated September 24, 2001 was improperly issued. Accordingly, withdrawal of the holding of abandonment is earnestly solicited.

Please note that the correct correspondence address for this application is given below. This address was provided in a Change of Address Notice dated May 6, 2002.

KUEHN -- Appln. No.: 09/432,192

Although it is believed that no petition fee is required, the Commissioner is hereby authorized to charge any fee required to our deposit account no. 50-0558.

Respectfully submitted,

By Michael W. Haas
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